

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

John Hill, <i>et al.</i> ,	:	
	:	
Plaintiff,	:	Case No. 2:00-cv-142
	:	
v.	:	Judge Smith
	:	
Reginald Wilkinson, <i>et al.</i> ,	:	Magistrate Judge Abel
	:	
Defendant.	:	
	:	
	:	

ORDER

This matter is before the Court on Plaintiff's April 26, 2007 motion for reconsideration of the Magistrate Judge's order which denied his motion for an order to show cause why Defendants should not be held in civil and criminal contempt (doc. 424). This motion does not present the Court with any issues that were not previously briefed and considered.

In order for an inmate to show that he has been denied a meaningful parole hearing, he must present evidence that (1) the offense for which the inmate was convicted is disregarded and eligibility for parole is judged on an offense category score that does not correspond to the offense of conviction; (2) the inmate is assigned an offense category under the guidelines that correspond to the offense of conviction but which is elevated based on the Parole Board's determination that the inmate committed an offense for which he was not convicted; or (3) the inmate is placed within the proper category pursuant to the guidelines, but the lowest possible guideline range for that category is beyond his earliest statutory parole eligibility date. *See Larson v. Ohio Adult Parole Auth.*, 2006 Ohio 5442, (Ohio Ct. App. 2006), citing to *Layne v.*

Ohio Adult Parole Authority, 97 Ohio St. 3d 456, 463 (Ohio 1997) and *Ankrom v. Hageman*, 2005 Ohio 1546 at *12 (Ohio Ct. App. 2005). Plaintiff fails to show that any of these three circumstances apply to his particular case, and therefore fails to show that he was deprived of a meaningful parole hearing.

For the reasons stated above, Plaintiff's April 26, 2007 motion for reconsideration (doc. 424) is without merit; and, therefore, it is DENIED.

/S/ George C. Smith
United States District Judge